

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

BEKZAD DZHANPOLATOV,

Plaintiff,

v.

UNITED STATES CITIZENSHIP AND
IMMIGRATION SERVICES (USCIS),

Defendant.

Case No. [25-cv-03314-RS](#)**ORDER GRANTING MOTION TO
DISMISS**

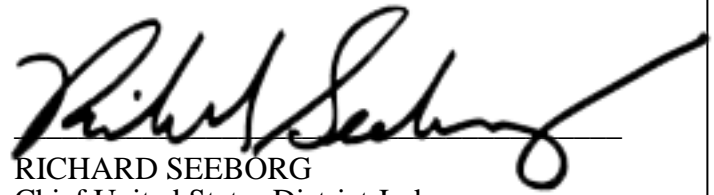
Plaintiff alleges he is a citizen of Russia married to a U.S. citizen. Plaintiff is pursuing lawful permanent residency to permit him to enlist in the U.S. Army. The second amended complaint seeks a declaration that action on his I-485 application was unreasonably delayed and that the rejection of his request for expedited processing was arbitrary. The government moves to dismiss, arguing the court lacks jurisdiction to review the agency's discretionary decisions, including processing timelines.

Without prejudice to an argument that courts may have jurisdiction to act in some cases of agency delay, dismissal is warranted here because plaintiff has alleged no facts sufficient to support judicial intervention in the administrative process. Furthermore, plaintiff reports the primary relief he sought—scheduling of an interview—has now been granted by the government. Plaintiff's argument that the case should be kept "open" because he may experience further delays is insufficient to establish jurisdiction. The motion to dismiss is granted, without prejudice to any right plaintiff may have in the future to challenge the timeliness of the government's action on his

I-485 application. The Clerk shall close the file.

IT IS SO ORDERED.

Dated: August 19, 2025



RICHARD SEEBORG
Chief United States District Judge

United States District Court
Northern District of California